



9-13-04

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Larson et al. Confirmation No.: 7146  
Serial No.: 10/645,136 Art Unit: 3732  
Filed: August 20, 2003 Examiner: To be assigned  
For: GUIDED RETRACTOR AND METHODS Attorney Docket No.: 101045.0001US1  
OF USE

REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

SYNTHES SPINE COMPANY LP (applicant or assignee) hereby revokes any and all previous powers and appoints:

☒ Practitioners at Customer Number 20583

as his/her/its/their attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence address for the above-identified application to:

☒ The above mentioned Customer Number.

☒ Firm or Individual Name:

Address: Jones Day, 222 East 41st Street, New York, New York 10017

Telephone: (212) 790-2803

I am the:

- ☐ Applicant/Inventor  
☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
(Statement under 37 CFR 3.73(b) is applicable)

**Statement Under 37 C.F.R. 3.73(b)**

SYNTHES SPINE COMPANY LP states that it is:

- ☒ the assignee of the entire right, title, and interest; or  
☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

- ☐ An assignment from the inventor(s) of the patent application/patent identified above.  
The assignment was recorded in the United States Patent and Trademark Office on  
at Reel , Frame , or for which a copy thereof is attached.

OR

- ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Jeffery Larson, Scott Schorer, Theodore Bertele, and Louis Greenberg To: KISS Medical

The document was recorded in the United States Patent and Trademark Office on 10/27/03 at Reel 014636 , Frame 0396, or for which a copy thereof is attached.

2. From: KISS Medical To: SYNTHES SPINE COMPANY LP

The document was recorded in the United States Patent and Trademark Office on at Reel , Frame , or for which a copy thereof is attached.

3. From: To:

The document was recorded in the United States Patent and Trademark Office on at Reel , Frame , or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.  
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE: SYNTHES SPINE COMPANY LP

Date:

9/7/04

Signature:

Robert M. Rauker

Typed Name:

Robert Rauker, Esq.  
Chief Patent Counsel  
SYNTHES SPINE COMPANY LP  
1690 Russell Road  
Paoli, PA 19301

Position/Title:

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

- ☒ Total of 1 forms are submitted.

## ASSIGNMENT

WHEREAS, KISS MEDICAL, LLC, a limited liability company organized under the laws of the State of Delaware, with principal place of business at 1015 East 20<sup>th</sup> Avenue, Spokane, Washington, 99203, ASSIGNOR, am the sole owner of the invention in GUIDED RETRACTOR AND METHOD OF USE for which there exists an application for a Patent of the United States

- ☐ which is executed on ☐ even date herewith or ☐  
☒ which is identified by Jones Day docket no. 708716-999939  
☒ which was filed on August 20, 2003, Application No. 10/645,136  
☐ I hereby authorize and request my attorney, , of Jones Day, , to insert here in parentheses (Application number, \_\_\_\_\_ filed \_\_\_\_\_ ) the filing date and application number of said application when known.

and WHEREAS, SYNTHES SPINE COMPANY, L.P., a Limited Partnership existing under the laws of the Commonwealth of Pennsylvania and having a place of business at 1690 Russell Road, Paoli, Pennsylvania, 19301, ASSIGNEE is desirous of obtaining my entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of September, 2004

Jeffrey Larson L.S.  
JEFFREY LARSON  
PRESIDENT, KISS MEDICAL, LLC

State of Washington )  
 ) SS.:  
County of Spokane )

On September 1, 2004, before me, Lisa R. Watkins, Notary Public, personally appeared Jeffrey Larson, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

- WITNESS my hand and official seal

